

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: WAYNE BLACK

CHAPTER 13

DEBTOR

CASE NO. 20-11143-JDW

**OBJECTION TO PROOF OF CLAIM
FILED BY MISSISSIPPI DEPARTMENT OF REVENUE [CLAIM # 8-1]**

COMES NOW the above-named Debtor, by and through his attorney of record in this case, and objects to the Proof of Claim filed by Mississippi Department of Revenue (“Creditor”).

In support thereof, shows unto the Court the following:

1. On August 24, 2020, Creditor filed its proof of claim in the amount of \$5,836.00 (Clm. #8-1). Said claim includes priority, interest and penalty amounts for the 2014 tax year. The claim also indicates the Debtor has not filed his returns for the same year.
2. The Debtor denies he owes this liability, as his only income for the previous 10-year period consists social security/disability benefits.
3. Therefore, the Creditor should amend its claim to \$0.00 or withdraw the claim altogether.
4. Other grounds to be shown at the hearing.

WHEREFORE, the Debtor prays this Court will sustain this Objection to Proof of Claim at the hearing hereon, and the claim be disallowed, and for such other, further and general relief to which the Debtor may be entitled.

This, the 25th day of August, 2020

/s/Robert H. Lomenick
ROBERT H. LOMENICK
Post Office Box 417
Holly Springs, MS 38635

rlomenick@gmail.com
ATTORNEY FOR DEBTOR

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

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CHAPTER 13

**DEBTOR
-JDW**

CASE NO. 20-11143

NOTICE OF OBJECTION TO CLAIM

YOU ARE HEREBY NOTIFIED that an objection to your claim has been filed in the above referenced bankruptcy case. Your claim may be reduced, modified, or eliminated. If you do not want the Court to eliminate or change your claim, a written response to the attached objection to claim must be filed with:

**Clerk, U.S. Bankruptcy Court
Northern District of Mississippi
703 Hwy 145 North
Aberdeen, MS 39730**

and a copy must be served on the undersigned Debtor(s)' attorney and the Chapter 13 trustee on or before thirty (30) days from the date of this notice. In the event a written response is filed, the court will notify you of the date, time and place of the hearing thereon.

DATED: August 25, 2020

CHAPTER 13 STANDING TRUSTEE:

Ms. Locke D. Barkley
Chapter 13 Trustee
6360 I-55 North, Suite 140
Jackson, MS 39211

/s/Robert H. Lomenick
KAREN B. SCHNELLER, MSB 6558
ROBERT H. LOMENICK, JR., MSB 104186
SCHNELLER & LOMENICK, P.A.
126 NORTH SPRING STREET
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HOLLY SPRINGS, MS 38635
[662-252-3224](tel:662-252-3224)/karen.schneller@gmail.com
rlomenick@gmail.com

CERTIFICATE OF SERVICE

I, Robert H Lomenick, attorney for the Debtor, hereby certify that a copy of the foregoing Objection to Proof Of Claim and the Notice to Objection to Claim has this day been served upon the Chapter 13 Trustee, the U.S. Trustee and the Mississippi Department of Revenue, either by electronic means or by United States Mail.

**Bankruptcy Section-Mississippi Department of Revenue
P.O. Box 22808
Jackson, MS 39225-2808**

**Attorney General's Office
Mississippi Dept. Of Revenue
PO Box 220
Jackson, MS 39205**

Locke Barkley, via ECF

Office of U.S. Trustee, via ECF

This, the 25th day of August, 2020

/s/Robert H Lomenick
KAREN B. SCHNELLER
ROBERT H. LOMENICK